

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**RICO DUKES,**

Plaintiff,

v.

**DENTON COUNTY COURT,**

Defendant.

§  
§  
§  
§  
§  
§  
§  
§

Civil Action No. **3:17-CV-2066-L**

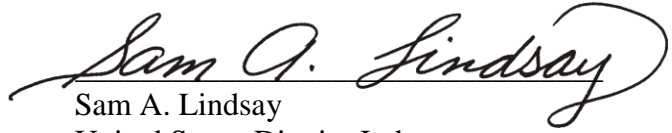
**ORDER**

Before the court is Plaintiff's Complaint (Doc. 3), filed August 3, 2017. On September 15, 2017, Magistrate Judge Irma Carrillo Ramirez entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report"), recommending that the complaint be dismissed without prejudice, pursuant to 28 U.S.C. 1915(e)(2)(ii) for failure to state a claim on which relief may be granted. On September 15, 2017, Plaintiff filed objections to the Report. The objections do not address a specific portion of the Report, and Plaintiff does not state a viable legal basis for objecting to the Report. Plaintiff's objections focus on the magistrate judge's authority to render a decision on this action and her alleged bias toward him. Having reviewed the record in this case, Report, and applicable law, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **overrules** Plaintiff's objections and **dismisses without prejudice** this action.

The court prospectively **certifies** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P.(a)(3). In support of this certification, the court **adopts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997). Based on the Report, the court finds that any appeal of this action would

present no legal point of arguable merit and would, therefore, be frivolous. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed in *forma pauperis* on appeal with the clerk of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

**It is so ordered** this 31st day of October, 2017.

  
Sam A. Lindsay  
United States District Judge